

TO

U.S. DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT
P O BOX 1737
BISMARCK, ND 58502

**NORTH DAKOTA
PROCEDURE NOTICE**

ISSUE NO.
916
DATE
6-1-06
DISTRIBUTION CODE
“S” STATE OFFICE
“A” AREA OFFICES
“L” LOCAL OFFICES

NORTH DAKOTA RURAL DEVELOPMENT MANUAL CHANGES

REMOVE and INSERT
ND 1780-A

WATER AND WASTE LOANS AND GRANTS
North Dakota Instruction 1780-A, Exhibits, Bulletins and Attachments have been completely revised and include the following changes:

Include RD-ND 1940-27, Representations for Loan and Authorization to File a Financing Statement and Related Documents, to be signed by Other Than Public Bodies

ND RUS Bulletin 1780-2, Fact Sheet, has been deleted and replaced with Bond Counsel Approval Criteria. All Bond Firms/Attorneys working on water and/or waste projects must be reviewed and approved by the Office of the General Counsel and the State Director.

Add Attachments A 1, B, B 1 and D to ND RUS Bulletin 1780-3 and Attachment A to ND RUS Bulletin 1780-4.

ND RUS Bulletin 1780-6, Resolution Authorizing Execution of Loan and/or Grant Documents, has been added to eliminate the Applicant having to pass a resolution for individual documents.

ND RUS Bulletin 1780-1, Check List for all Applicants Eligibility Determination Water/Sewer Project Financing, has been revised to:

Be used for eligibility determination – environmental determination comes later in the application process

Add a shaded area for “Rural Development Use Only”.

Add Attachment A for the applicant to provide the Debt Retirement Schedule

ND RUS Bulletin 1780-2, Bond Counsel Approval Criteria, replaced the Fact Sheet. All Bond Counsel Firms/Attorneys working on water and/or waste projects must be reviewed and approved by the Office of the General Counsel and the State Director.

ND RUS Bulletin 1780-3, Public Body & Tribal Applicants, has

been revised to:

Add Tribal applicants to the title of the document. Indian Tribes are considered public bodies for processing loan and grants.

Add Item III 4, Resolution Authorizing Execution of Loan/Grant Documents, to eliminate the Resolution Authorizing Execution of Engineering and Legal Service Agreements; Resolution Authorizing Execution of Letter of Intent to Meet Conditions; Resolution Authorizing Execution of Request for Obligation of Funds and Resolution Authorizing Execution of Water or Waste System Grant Agreement.

Change Item III 12 from “Evidence of Consistency with Other Plans” to “Letter of Concurrence from County Commissioners or Tribal Planning Office”.

Deleted Certified Right-of-Way Map and included it as a part of Item III 31 e, RD 442-21, Right-of-Way Certificate.

Include Loan and/or Grant Closing List and Grant Closing Prior to Loan Closing List.

Add a shaded area for “Rural Development Use Only.”

Add Attachments B and B 1 for Water District Bond Transcript Documents and Special Assessment Documents.

Add Attachment D for documents to be sent to the Bank of North Dakota.

ND RUS Bulletin 1780-4, Other Than Public Body, has been revised to:

Add Item III 4, Resolution Authorizing Execution of Loan/Grant Documents, to eliminate the Resolution Authorizing Execution of Engineering and Legal Service Agreements; Resolution Authorizing Execution of Letter of Intent to Meet Conditions; Resolution Authorizing Execution of Request for Obligation of Funds and Resolution Authorizing Execution of Water or Waste System Grant Agreement.

Change Item III 8 from “Evidence of Consistency with Other Plans” to “Letter of Concurrence from County Commissioners or Tribal Planning Office.”

Deleted Certified Right-of-Way Map and included it as a part of Item III 31 e, RD 442-21, Right-of-Way Certificate.

Add Loan and/or Grant Closing List and Grant Closing Prior to Loan Closing List.

Add a shaded area for “Rural Development Use Only.”

Add Attachment A for documents to be sent to the Bank of North Dakota.

ND RUS Bulletin 1780-5, Contract Document Instruments, has been completely revised to eliminate duplication and to revise the Payment Bond and Performance Bond.

ND RUS Bulletin 1780-6, Resolution Authorizing Execution of Loan and/or Grant Documents has been added to permit the applicant to pass one resolution instead of separate resolutions for documents.

Remove – ND Instruction 1780-A; Exhibits A and B; ND RUS Bulletins 1780-1, 1780-2, 1780-4 and 1780-5; and ND RUS Bulletins 1780-3 with Attachments A, B and C dated 3-26-99.

Insert – ND Instruction 1780-A; Exhibits A and B; ND RUS Bulletins 1780-2, 1780-5 and 1780-6; ND RUS Bulletin 1780-1 with Attachment A; ND RUS Bulletin 1780-3 with Attachments A, A1, B, B1, C and D; ND RUS Bulletin 1780-4 with Attachment A dated June 1, 2006.

The notation “State Supplement” will be placed in the margin of each paragraph of the National Instruction that has been supplemented by this State Procedure Notice.

ADMINISTRATIVE NOTICES RELEASED

AN	DATE	SUBJECT
1456	3-1-06	Water and/or Waste Projects-Guide for Engineering Fees
1457	3-27-06	Water & Waste Disposal Interest Rates, Grant Levels, Applicable Median Household Incomes
1458	3-30-06	Community Facility Interest Rates, Grant Levels and Applicable Median Household Incomes
1459	5-10-06	Processing the Foreclosure Referral Packet

ADMINISTRATIVE NOTICES EXPIRED, REPLACED, OR RESCINDED:

FILE FOLLOWING RD INSTRUCTION	AN NO.	EXPIRATION DATE
1944-E	1436	1-31-06
1951-B	1438	2-28-06
1780	1439	3-31-06
1924-A	1442	4-30-06
HB-2-3550	1443	4-30-06
HB-1-3550	1448	9-30-06
1942-A	1454	3-31-06
1780	1455	3-31-06

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